

## **REMARKS**

Reconsideration of the present application is requested. Claims 1, 8, 22 and 31, paragraph [0020] and Figures 1 and 2 have been amended. Support for the amendments made to paragraph [0020] may be found, for example, in paragraph [0011] of Applicants' Specification. Support for amendments made to claims 1, 8, 22 and 31 may be found in paragraphs [0022 - 0023], for example.

## **PRIORITY DOCUMENTS**

Applicants appreciate the Examiner's acknowledgement of Applicants' claim for foreign priority under 35 U.S.C. § 119 and the indication that all copies of the priority documents have been received.

## **DRAWINGS**

The Examiner objects to the drawings as failing to show necessary labels. Although Applicants do not necessarily agree with the Examiner, to further expedite prosecution, Applicants have amended Figures 1 and 2 taking into account the Examiner's comments. Withdrawal of this objection is requested.

## **INFORMATION DISCLOSURE STATEMENT**

The Examiner has not considered the Information Disclosure Statement filed April 9, 2007. Applicants request the Examiner do so and indicate such consideration in the next PTO correspondence.

## **PRIOR ART REJECTIONS**

### **REJECTION UNDER 35 U.S.C. § 103(a)**

The Examiner rejects claims 1-32 under 35 U.S.C. § 103(a) as allegedly unpatentable over U.S. Patent No. 6,031,910 ("*Deindl*"). This rejection is respectfully traversed.

Claim 1 is directed to a method in which users are assigned a data key for at least one of encrypting or decrypting data. According to this method, a security check is performed to ascertain an identity of the user. A data key is assigned to the user on the basis of a result of the security check. The data key is unviewable by the user and the same data key is assignable to a plurality of users.

The Examiner alleges claim 1 is obvious from *Deindl* relying upon column 6, lines 22-43. However, Applicants disagree because *Deindl* fails to teach or suggest "assigning a data key to the user," based on "a result of the security check," as required by claim 1.

*Deindl* discloses a method for storing information on at least one storage medium with the aid of a chip card. According to column 6, lines 22-43, a chip card generates a first cryptographic key which is transmitted to a computer. Using the transmitted first cryptographic key, the computer encrypts data to be stored on the storage medium. Within the chip card, the transmitted first cryptographic key is encrypted with a second cryptographic key, which is not provided to the computer. Both the encrypted data and the encrypted key are stored on the storage medium.

Contrary to the method of claim 1, the cryptographic keys of *Deindl* are not assigned to any user. The cryptographic keys are, at most, associated only

with the data being encrypted. *Deindl* fails to disclose any connection between or association between cryptographic keys and users, let alone, assigning a cryptographic key to a user on the basis of a security check. The authorization of the user in *Deindl* is solely for allowing the user to store data within the storage medium.

Because *Deindl* fails to teach or fairly suggest "assigning a data key to the user," based on "a result of the security check," as required by claim 1, *Deindl* cannot render claim 1 obvious.

The Examiner correctly recognizes *Deindl* fails to teach or fairly suggest the method of claim 1, wherein, "the same data key is assignable to a plurality of users." But, alleges it would have been obvious to a person having ordinary skill in the art to modify *Deindl* to arrive at the method of claim 1. Applicants again disagree with the Examiner's conclusion.

As discussed above, in *Deindl*, data is encrypted with a first cryptographic key, and the first cryptographic key is encrypted with a second cryptographic key. The encrypted data and the encrypted key are then stored on the storage medium. Neither of the first or second cryptographic keys, however, is assigned to any user. Because no cryptographic keys are assigned to any users, one of ordinary skill in the relevant art would have no reason to modify the method or system of *Deindl* to include cryptographic keys assignable to a plurality of users.

For at least the foregoing reasons, the method of claim 1 is patentable over *Deindl*. Claims 8, 22 and 31 are patentable over *Deindl* for at least

reasons somewhat similar to those set forth above with regard to claim 1.

Claims 2-7, 9-21, 23-30 and 32 are patentable over *Deindl* at least by virtue of their dependency from independent claims 1, 8, 22 or 31.

### **CONCLUSION**

In view of the above amendments and remarks, reconsideration of the objections and rejections and allowance of each of claims 1-32 in connection with the present application is earnestly solicited.

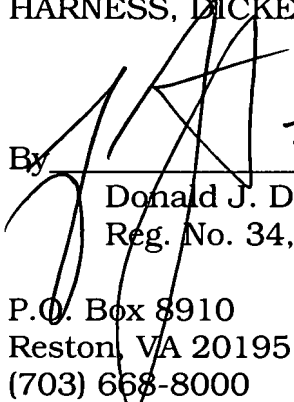
If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone Andrew M. Waxman, Reg. No. 56,007, at the number of the undersigned listed below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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